

## **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed April 7, 2005. Claims 1-22 were rejected. Claims 1-2 and 4-22 remain in the application. Claim 3 has been canceled without prejudice. Claim 1 has been amended. The claims have been amended to address the concerns raised by the Office Action.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1-22 (including independent claims 1, 9, 13, 18, 22) were rejected under 35 U.S.C. § 103 as being unpatentable over Makuch (6,330,592) in view of Weissman (6,560,678).

Makuch appears to be a Vignette content management system that uses a single keyword associated with a web page so that history can be built up in a user profile. Weissman has been cited with respect to teaching a hierarchical content search tree in order to search for information quickly in an object database.

The Office Action stated that the Makuch and Weissman patents could be combined together because the Weissman structure allows users to retrieve web page content quickly (Page 3, last paragraph of the Office Action). On its face, this statement appears to be a logical reason for combining the prior art patents. However, this logical reason and technical result (i.e. faster search speed) was not the reason the present application includes a hierarchical category system. Thus, the hindsight motivation that has been set forth in the Office Action for combining these two patents is not applicable to present claims, as will be shown further herein.

In particular, the present claims include the limitation of multiple content keywords associated with each content category in a hierarchical content categorization system. Claim 1 includes the limitation of “accessing content categories that are arranged hierarchically and are linked to a **plurality of keywords**”. The prior art does not teach or suggest the use of a plurality of keywords or the use of a hierarchical content system **in a content management system** as in claim 1. This structure is illustrated in FIG. 3. Nor does the prior art provide the benefits associated with the use of multiple keywords as will be described below.

The second element of claim 1 has been amended to include the way in which these multiple keywords are used. Element (b) of claim 1, includes the limitation of using “the system to personalize the digital objects delivered to a user based on the **user’s activity level for keywords in separate categories.**” This means that cross-category content personalization can take place with little additional effort on behalf of the web developers using the present embodiments. This was not possible using prior web content management systems such as the Vignette content management system described by Makuch.

The valuable results from using a hierarchical system with multiple keywords are described in the present specification. In particular, page 11, lines 30-36 describe that “A user’s content preferences are determined across multiple categories. When the personalization system has determined the user’s content preferences, digital objects are delivered to users based on the users’ content preferences across multiple categories.” Pages 12 and 13 of the present specification provide a few examples of the uses and benefits of the present embodiments.

In particular, the use of a hierarchical content system in combination with multiple keywords allows the system to perform analysis on super-categories and compare activity across sibling categories. See the present specification page 12, lines 10-25.

Neither the prior art of Makuch or Weissman teach or suggest the use of multiple keywords **in combination** with a hierarchical content category system. In addition, one would not look to Weissman for improvements in content personalization because Weissman teaches search retrieval optimization and not content personalization analysis. In other words, Weissman would not suggest to one skilled in the prior art to include hierarchical content categories with multiple keywords in a content management system. Cross-category personalization is significantly different than the search tree optimization of Weissman.

With regard to claim 3 and claim 4, Makuch has not described “a weighting factor for each association between keywords and resources”. Makuch has not described “applying a weighting factor to the user’s recorded activity level for the resource associated with the keyword.” The Office Action cites column 2 lines 31-61, as suggesting these elements but Applicant’s careful reading of this passage does not find any discussion of weighting in this context. Applicant respectfully requests a more specific citation for this rejection.

Weiss does discuss a utilization factor but this is not a weighing factor. The utilization factor indicates “the amount of space in the object store 30 taken up by the cached objects associated with that content category.” See Weiss, column 5, lines 30-34.

The prior art does not teach the ability to reorganize links between content categories and keywords, as included in claim 5. In particular, Makuch does not allow for such dynamic optimization. Dependent claims 6-8 should also be allowed because they depend on claim 1 which now includes patentable subject matter.

Claim 9 also includes the patentably distinct limitation of delivering “the same digital objects to users based on users’ activities in the separate categories.” This includes the delivery of content based on multiple keywords as analyzed using the content categories.

Not only are multiple keywords associated with multiple categories, claim 11 further includes the limitation that “the resource” … “is associated with at least two keywords, in order to provide flexible labeling for the resources.” This limitation is not taught or suggested by the prior art. The previous arguments with respect to claim 1 and claim 9 also apply to claims 13, 18, and 22. In addition, the dependent claims for claims 9, 13, 18 should also be allowed because they depend on claims which include patentable subject matter.

## CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1-22 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Steve M. Perry at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

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Respectfully submitted,

  
Steve M. Perry  
Registration No. 45,357

THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone: (801) 566-6633